



**U.S. Department of Justice**

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August 29, 2005

Via Electronic Filing

Honorable Sue L. Robinson  
United States District Court  
J. Caleb Boggs Federal Building  
844 King Street  
Wilmington, DE 19801

**Re: United States v. Murphy, Criminal Action No. 05-10-SLR**

Dear Chief Judge Robinson:

On August 23, 2005, the government filed its Motion for a Preliminary Order of Forfeiture (D.I. 24, 25) in this case. In that Motion, the government indicated that it would publish notice of the Preliminary Order of Forfeiture once a week for three weeks in an appropriate newspaper in accordance with the government's usual practice. *Id.* at ¶ 8.

Title 21, section 853(n)(1), made applicable to this case by title 18, section 982(b)(1), requires only that notice be published "as the Attorney General may direct." The government has already identified the victims who were deprived of property that is the subject of the proposed Preliminary Order of Forfeiture and intends to restore that property to them. Because the sum in question exceeds eight million dollars, the government intends to abbreviate the publication process in order to be able to restore the money as soon as possible. Thus, the government expects it will publish notice of the forfeiture in this case only a single time.

The proposed Preliminary Order of Forfeiture tracks the language of the statute quoted above, so no change is necessary to the proposed order to reflect the decision to publish notice only one time.

Letter to Honorable Sue L. Robinson

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We are available to answer any questions or concerns the Court may have.

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

BY: /s/ Douglas E. McCann  
Douglas E. McCann  
Assistant United States Attorney

cc: Beth Moskow-Schnoll, AUSA (via e-file)  
Edmund D. Lyons, Jr., Esquire (via e-file)  
Dr. Peter T. Dalleo (via e-file)